

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3215 of 1984

Date of decision: 31-7-1996

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

JUNAGAHD LEGAL AID CLINIC

Versus

STATE OF GUJARAT

Appearance:

MR DM THAKKAR for Petitioner
N. N. Pandya for Respondent No. 1
None present for respondent No. 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 31/07/96

ORAL JUDGEMENT

Having heard the learned counsel for the parties I do not find any substance in the special civil application. The Executive Committee of Junagadh Taluka Panchayat has not committed any illegality whatsoever in taking decision to put up additional floor on Sardar Shri Vallabhbhai Patel Market in the city of Junagadh. It is only a case of addition to the floor and not new construction sought to be projected. This seems to be just and reasonable decision for augmenting the income so that the same may be utilised for the development of the school and welfare of the children who are studying in the institution.

2. Learned counsel for the petitioner contended that the writ petition may be dismissed, but necessary directions may be given to the respondents to ensure that whatever income is derived by letting out the additional floor being constructed on the existing market may be utilised only for the development of the school and welfare of the students studying in the institution. Mr. N. N. Pandya, learned counsel for respondents No.1 and 2 stated that the Government will see that the income derived from this additional storey to be put up on the first floor of the premises will be utilised for the development of the school and the welfare of the students. In view of this statement made by Mr. Pandya, the apprehension of the petitioner does not survive and no further direction is required to be given.

3. In the result this writ petition fails and the same is dismissed. Rule discharged. Interim relief granted earlier by this court stands vacated.

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